

EXHIBIT 5

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOOGLE LLC,

Plaintiff

v.

SONOS, INC.,

Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

REBUTTAL EXPERT REPORT OF DAN SCHONFELD, Ph.D.

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181. In my opinion, based on their scope, each of these changes would individually take Google minimal time to implement, and the time for quality assurance would likely match the other design-arounds that I discussed in my Opening Report. Further, because each of these solutions would allow a user to associate a speaker group name with a particular set of speakers (albeit without “zone scene” or “common theme” information associated with such a name), these solutions would match users’ expectations and enable the current level of functionality that users expect and receive from their Google devices.

XVIII. COMPARABLE LICENSES AND PATENTS

182. I have been asked to review a set of licenses to determine whether the technology at issue in those licenses is comparable to the Sonos patents discussed above, including Sonos’s agreements with AST Times Square, series 80, lot 6863 (GOOG-SONOS-NDCA-00055209), and with Outland Research LLC (GOOG-SONOS-NDCA-00054999). I incorporate by reference my analysis of these licenses as set forth in my June 22, 2022 Opening Report.

183. As I opined above, the technology of the ‘885 and ‘966 patents is similar, such that my opinions regarding the comparability of the technology at issue in those licenses equally applies to both ‘885 and ‘966 patents. It is my opinion that these patents are technologically comparable to both the ‘885 patent and the ‘966 patents, and that at least the patents in the Outland Research agreement (7,603,414; 7,562,117; 7,542,816; 7,732,694) are more essential than the ‘885 and ‘966 patents because collaborative music experience, for example, has a wider potential impact than the particular way of implementing the overlapping speaker functionality claimed in the asserted patents.

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DATED: January 13, 2023

A handwritten signature in black ink, appearing to read "Dan Schonfeld", with a large, stylized circular flourish at the end.

Dan Schonfeld, Ph.D.